

# *Calne Town Council*



STANDING ORDERS

FINANCIAL REGULATIONS

CODE OF CONDUCT FOR MEMBERS

Approved and adopted by  
Calne Town Council  
**10 February 2003**  
(Revised 9 July 2007 – Code of Conduct)

## AMENDMENTS

These Standing Orders were approved and adopted by Calne Town Council on **10 February 2003**.

Amendments will be made from time to time and will be detailed below in accordance with resolutions made by Calne Town Council.

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04.10.04 – Standing Order Nos 3.2, 3.3, 3.4, 3.5, & 8.1.

07.02.05 – Standing Order Nos 25.1.2 and deletion of 30.3.

03.10.05 – Standing Order No 30.3.

09.07.07 – Appendix A – Revised Code of Conduct, Standing Order Nos 17.1, 32.1, 46.1

## CALNE TOWN COUNCIL

### STANDING ORDERS

#### 1. **Meetings**

1.1 Meetings of the Council shall be held at the Town Hall, Calne at 7.00pm unless the Council otherwise decides at a previous meeting. In order to allow time for Public Participation under Standing Order12, meetings shall convene at 6.45pm.

#### 1.2 **The Statutory Annual Meeting**

1.2.1 In an election year the Annual Parish Meeting shall be held on or within 14 days following the day on which the Councillors elected take office.

1.2.2 In a year which is not an election year shall be held on the second Monday in May.

#### 1.3 **Other Meetings**

1.3.1 All other meetings of the Council shall be held on such dates as may be fixed by the Council

1.3.2 The Town Mayor, or if absent Deputy Town Mayor, may at any time call a special meeting of the Council and shall do so on the requisition in writing of five or more members of the Council

#### 2. **Presence of Public**

2.1 The statutory right of the public to attend meetings shall be subject to common law rules as to:

2.1.1 Availability of reasonable accommodation for the public to attend, and

2.1.2 All powers of the Town Mayor or Chair of Committee to exclude any person or persons from a meeting or to adjourn a meeting in order to suppress or prevent disorderly conduct or other misbehaviour at a meeting. If a member of the public interrupts the proceedings at any meeting, the Chair shall warn that person.

2.1.3 If the interruption continues the Chair shall order the person to be removed from the meeting room. In the case of general disturbance in any part of the meeting room the Chair shall order that part to be cleared.

#### 3. **Chair of Meeting**

3.1 The person presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.

3.2 At each Annual Meeting the first business shall be to elect and ratify the appointments of a Town Mayor and a Deputy Town Mayor whose approved nominations must have been notified to the Town Clerk, in writing, at least seven working days before the meeting, and

to receive the Town Mayor's Declaration of Acceptance of Office or, if not received, decide when it shall be received.

3.3 At the full Town Council meeting preceding the Annual Meeting, the Deputy Town Mayor, whose nomination shall have been made to the Town Clerk, in writing, at least 7 working days in advance, shall be appointed for the following year subject only to 3.2 above.

3.4 The Deputy Town Mayor once elected shall be the Town Mayor-Elect for the following year and shall be nominated as Town Mayor for the following year subject only to ratification by the Town Council at its Annual Meeting.

3.5 The Town Mayor and the Deputy Town Mayor shall continue in office until the next Annual Meeting unless either resigns or becomes disqualified, in which case the Town Council shall forthwith elect a successor.

#### **4. Town Clerk and Proper Officer**

4.1 Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, the proper officer shall be the Town Clerk:-

1. To receive declarations of acceptance of office.
2. To receive and record notices disclosing pecuniary interests.
3. To receive and retain plans and documents.
4. To sign notices or other documents on behalf of the Council.
5. To receive copies of bye-laws made by a District Council.
6. To certify copies of bye-laws made by the Council.
7. To sign summonses to attend meetings of the Council.

In any other case the proper officer shall be the person nominated by the Council and, in default of nomination, that officer shall be the Town Clerk.

#### **5. Quorum – Meetings of The Council**

5.1 Six members shall constitute the quorum.

5.2 If the quorum is not present when the Council meets or if during a meeting the number of Councillors present falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chair may fix.

5.3 For the quorum relating to a Committee or Sub-committee please refer to Standing Order 25.4.

#### **6. Voting**

6.1 Members shall vote by show of hands, or, if at least two members so request, by signed ballot.

- 6.2 If a member so requires, the Town Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it or abstained. Such a request must be made before the vote is taken.
- 6.3 Subject to 6.4 and 6.5 below the Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote whether or not the chair gave an original vote.
- 6.4 If the person presiding at the Annual Meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Chair and Vice-Chair until the end of their term of office that person may not give an original vote in an election for Chair.
- 6.5 The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.

## 7. **Agenda**

- 7.1 The Town Clerk shall set out with every summons for a meeting of the Council notice of all business which in the Town Clerk's judgement requires to be brought before the Council, and all other business where notice in writing, by way of notice of motion signed by a Member of the Council, has been duly given.
- 7.2 The Minutes of the various Committees shall be sent to each Member of the Council with the summons of the meeting of the Council at which the Minutes are to be considered.

## 8. **Public Participation**

- 8.1 Each meeting of the Town Council and its Standing Committees (but not its Sub-Committees or working groups) shall be preceded by a period of 'Public Participation' not exceeding fifteen minutes.
- 8.2 Each questioner shall be allowed to speak for a maximum of three minutes.
- 8.3 Questions shall be directed to the Chair of the meeting who may request another member or the Town Clerk to reply.
- 8.4 Answers to questions may take the form of:
  - 8.4.1 A direct oral response, or
  - 8.4.2 When the desired information is contained in a publication, reference to that publication, or
  - 8.4.3 When it is more convenient to do so a written answer subsequent to the meeting.
- 8.5 Every question shall be put and answered without discussion, although the questioner shall be permitted to ask supplementary questions.

- 8.6 Questions shall not be permitted that relate to the individual affairs of either the questioner or any other named person, but should only relate to matters of policy or practice, i.e. matters of a general nature rather than individual concern.
- 8.7 The Chair of the meeting shall disallow any question that is in his or her opinion, scurrilous, improper, pernicious, irrelevant or otherwise objectionable.

9. **Order of Business.**

- 9.1 At each annual meeting the first business shall be.
- 9.1.1 To elect a chair.
  - 9.1.2 To receive the Chair's declaration of acceptance of office or, if not then received, to decide when it shall be received.
  - 9.1.3 In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
  - 9.1.4 To decide when any declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the Council which have not been received as provided by law, shall be received.
  - 9.1.5 To elect a Vice-Chair.
  - 9.1.6 To appoint representatives on outside bodies.
  - 9.1.7 To appoint statutory or standing committees and sub-committees.

The order of business shall thereafter follow the order set out in Standing Order 9.4.

- 9.2 At every meeting other than the annual meeting the first business shall be to appoint a Chair, if the Chair and Vice-Chair be absent, and to receive such Declarations of Acceptance of Office and written undertakings to observe the Code of Conduct (if any) as are required by law to be made, or if not then received to decide when they shall be received.
- 9.3 In every year, not later than the meeting at which the estimates for the next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Orders 22 and 42 must be read in conjunction with this requirement.
- 9.4 After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:-
- 9.4.1 To read and consider the Minutes of the last meeting of the Council, provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
  - 9.4.2 After consideration to approve the signature of the Minutes by the presiding Chair as a correct record.
  - 9.4.3 To deal with business expressly required by statute to be done.
  - 9.4.4 To dispose of business, if any, remaining from the last meeting.
  - 9.4.5 To receive such communications as the Town Mayor may wish to lay before the Council.
  - 9.4.6 To receive a report from a representative of Wiltshire Constabulary on various Police matters in Calne of concern to members of the Council.

- 9.4.7 To receive a report from, and provide a briefing to, any Wiltshire County Councillor members in attendance at the meeting.
- 9.4.8 To receive a report from, and provide a briefing to, any North Wiltshire District Councillor members in attendance at the meeting.
- 9.4.9 To receive and consider reports and minutes of committees and advisory committees
- 9.4.10 To receive and consider reports from officers of the Council.
- 9.4.11 To authorise the sealing of documents.
- 9.4.12 To authorise the signing of orders for payment.
- 9.4.13 To consider motions or recommendations in the order in which they have been notified.
- 9.4.14 Any other business specified in the summons.

## 10. **Variation of Order of Business**

10.1 A motion to vary the order of business on the grounds of urgency:

10.1.1 May be proposed by the Chair or by any member and, if proposed by the Chair, may be put to the vote without being seconded, and

10.1.2 Shall be put to the vote without discussion.

## 11. **Resolutions Moved On Notice**

11.1 Except as provided by these Standing Orders, no resolution may be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Town Clerk at least seven clear days before the next meeting of the Council.

11.2 The Town Clerk shall date every notice of motion or recommendation when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.

11.3 The Town Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing the intention to move at some later meeting or has withdrawn it in writing.

11.4 If a resolution or recommendation specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without new notice.

11.5 If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report, provided that the Chair, if considering it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

11.6 Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

## 12. **Improper Motions**

12.1 If the Town Clerk receives notice of motion and has doubt as to the propriety of inserting it in the summons, it shall be submitted to the Chair who, if of the opinion that the motion is vexatious, scurrilous or otherwise improper, may direct such notice to be returned with an intimation that it will not be inserted in the summons, and the Town Clerk shall return the same accordingly.

12.2 No motion substantially the same as a motion rejected within the preceding three months shall be allowed.

## 13. **Resolutions Moved Without Notice**

13.1 Resolutions dealing with the following matters may be moved without notice:-

13.1.1 To appoint a Chair of the meeting.

13.1.2 To correct the minutes.

13.1.3 To approve the minutes.

13.1.4 To alter the order of business.

13.1.5 To proceed to the next business.

13.1.6 To close or adjourn the debate.

13.1.7 To refer a matter to a committee.

13.1.8 To appoint a committee or sub-committee or any members thereof.

13.1.9 To adopt a report.

13.1.10 To authorise the sealing of documents.

13.1.11 To amend a motion.

13.1.12 To give leave to withdraw a motion or amendment.

13.1.13 To exclude the press and the public (see Standing Order 37)

13.1.14 To silence or eject from the meeting a member named for misconduct (see Standing Order 17)

13.1.15 To extend the time limit for speeches.

13.1.16 To give the consent of the Council where such consent is required by these Standing Orders.

13.1.17 To suspend any Standing Order (see Standing Order 43)

## 14. **Questions**

14.1 A member may ask the Chair or the Town Clerk any question concerning the business of the Council provided 7 clear days notice of the question has been given to the person to whom it is addressed.

14.2 A member with or without notice may ask the Chair of a Committee any question upon the proceedings of the Committee then before the Council if the question is put before the Council's consideration of those proceedings is finished.

- 14.3 Every question shall be put and answered without discussion.
- 14.4 A person to whom a question has been put may decline to answer.
- 14.5 Where the reply to any question cannot conveniently be given orally, it shall be a sufficient reply if the answer is circulated to Members of the Council with the Minutes of the Meeting at which the question has been asked.

15. **Rules of Debate**

- 15.1 No discussion shall take place upon the minutes except upon their accuracy. Corrections to the minutes shall be made by resolution and must be included in the Minutes of the meeting at which the correction is made.
- 15.2 A resolution or amendment shall not be discussed unless it has been proposed and seconded. Unless proper notice has already been given, it shall, if required by the Chair, be reduced to writing and handed to the Chair before it is further discussed or put to the meeting.
- 15.3 A member when seconding a resolution or amendment may declare to reserve his speech until a later period of the debate.
- 15.4 A member shall speak to the question under discussion or to a personal explanation or to a question of order.
- 15.5 No speech shall exceed five minutes, except by consent of the Council.
- 15.6 An amendment shall be either:
1. To leave out words.
  2. To leave out words and insert or add others.
  3. To insert or add words.
- 15.7 An amendment shall not have the effect of negating the motion before the Council.
- 15.8 If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- 15.9 A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- 15.10 The mover of a resolution or of an amendment shall have a right of reply not exceeding five minutes.
- 15.11 A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further

amendment, or on an amendment, or on a point of order, or in personal explanation, or to move the closure.

- 15.12 A member may speak to make a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by that member which may have been misunderstood.
- 15.13 A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- 15.14 When a resolution is under debate no other resolution shall be moved except the following:-

- 15.14.1 To amend the resolution.
- 15.14.2 To proceed to the next business.
- 15.14.3 To adjourn the debate.
- 15.14.4 That the question be now put.
- 15.14.5 That a member named be not further heard.
- 15.14.6 That a member named do leave the meeting.
- 15.14.7 That the resolution be referred to a committee.
- 15.14.8 To exclude the public or the press or both.
- 15.14.9 To adjourn the meeting.

15.15 The ruling of the Chair on a point of order or on the admissibility of personal explanation shall not be discussed.

15.16 Members shall address the Chair. If two or more members wish to speak, the Chair shall decide who to call upon.

15.17 The Chair shall call upon individual members to speak and when the member or the Chair is speaking all other members shall be silent.

## 16. **Closure**

16.1 At the end of any speech a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded and if the Chair is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), shall forthwith put the motion. If the motion "that the question be now put" is carried, the Chair shall call upon the mover to exercise or waive the right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

## 17. **Disorderly Conduct**

17.1 All members of the Council must observe the Code of Conduct which was adopted by the Council on 9 July 2007, a copy of which is annexed to these Standing Orders.

17.2 No member shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.

17.3 If, in the opinion of the Chair, a member has acted in a manner contrary to that required, the Chair shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. If a member reasonably believes another member is in breach of the Code of Conduct, that member is under a duty to report the breach to the Standards Board for England.

17.4 If the motion mentioned in paragraph 17.3 is disobeyed, the Chair may adjourn the meeting or take such further steps as may reasonably be necessary to enforce it.

18. **Right of Reply**

18.1 The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed, the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

19. **Alteration of Resolution**

19.1 A member may, with the consent of his seconder, move amendments to his own resolution.

20. **Rescission of Previous Resolution**

20.1 A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the names of at least eight members of the Council.

20.2 When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

20.3 This Standing Order shall not apply to resolutions moved in pursuance of the report or recommendation of a committee.

21. **Voting on Appointments**

21.1 Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a new vote taken, and so on until a majority of votes is given in favour of one person. This Standing Order shall not apply in any case where the method of voting is prescribed by statute.

22. **Discussions and Resolutions Affecting Employees of the Council**

22.1 If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded. (See Standing Order No 37)

23. **Resolutions on Expenditure**

- 23.1 Any motion which is moved otherwise than in pursuance of a recommendation of the Policy & Resources Committee, or of another Committee after recommendation by the Policy & Resources Committee and which, if carried, would, in the opinion of the Chair substantially increase the expenditure upon any service which is under the management of the Council, or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council and any committee affected by it shall consider whether it desires to report thereon. The Policy and Resources Committee shall report on the financial aspect of the proposal.

24. **Sealing of Documents**

- 24.1 A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- 24.2 Any two members of the Council named in a resolution moved under the provisions of 24.1 of this Standing Order may seal, on behalf of the Council, any document required by law to be issued under seal.

25. **Committees and Sub-Committees**

25.1 **Membership**

- 25.1.1 Each of the Town Council's standing Committees shall comprise 8 members. The number of District Council Members serving the Development and Control Committee shall be restricted to 3 members. Each Ward shall be represented by at least one member.
- 25.1.2 The Town Mayor and Deputy Town Mayor should be appointed ex-officio members to all Committees, Sub-Committees and Working Groups.
- 25.1.3 Between the date of the Council elections (when held) and the date of the Annual Meeting of the Council, or otherwise not later than ten days before the date of the Annual Meeting of the Council, each member shall be issued a 'Request Form' to indicate their preference for Committee or Sub-Committee membership.
- 25.1.4 Where Committee or Sub-Committee membership is over or under subscribed, a Selection Committee, comprising the Town Mayor, Deputy Town Mayor, and a Senior Councillor from each Ward, not represented by either the Town Mayor or Deputy Town Mayor, shall meet prior to the Annual Meeting to appoint members to Committees, and shall report to the Annual Meeting.

25.1.5 The number of Councillors on the Policy and Resources Committee may be increased by three, if necessary, to accommodate the Chairs of Planning and Economic Regeneration Committee, Amenities Committee and Development Control Committee, if those Chairs are not already members of the Policy and Resources Committee.

25.2 The Council may at the Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:

25.2.1 Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.

25.2.2 Subject to the provisions of Standing Order 20 above may at any time dissolve or alter the membership of a committee.

25.3 Every committee shall at its first meeting before proceeding to any other business, elect a Chair and may elect a Vice-Chair who shall hold office until the next Annual Meeting of the Council.

25.4 Except where ordered by the Council in the case of a committee or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of the committee or sub-committee shall be one half of its members, except that four members shall constitute a quorum for the Development Control Committee.

## 26. **Special Meetings**

26.1 The Chair of a committee or the Town Mayor may summon a special meeting of that committee at any time. A special meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

## 27. **Sub-Committees**

27.1 Every committee may appoint sub-committees for purposes to be specified by the committee.

27.2 The Chair and Vice-Chair of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.

27.3 The Standing Orders on rules of debate (except that part relating to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings insofar as they are appropriate.

## 28. **Advisory Committees**

28.1 The Council may create advisory committees, whose name, number of members and the bodies to be invited to nominate members shall be specified.

- 28.2 The Town Clerk shall inform the members of each advisory committee of the terms of reference of the advisory committee.
- 28.3 An advisory committee may make recommendations and give notice thereof to the Council.
- 28.4 An advisory committee may consist wholly of persons who are not members of the Council.

29. **Voting in Committees**

- 29.1 Members of committees and sub-committees shall vote by show of hands. The provisions of Standing Order 6.2 apply to Committees and Sub-Committees.
- 29.2 Chairs of committees and sub-committees shall, in the case of an equality of votes, have a second or casting vote.

30. **Presence of Non-Members of Committees at Committee Meetings**

- 30.1 A member who has proposed a motion which has been referred to any committee of which that person is not a member, may explain the motion to the committee but shall not vote.
- 30.2 Any Council member shall, unless the Council otherwise orders, be entitled to be present at the meetings of any committee or sub-committee of which that person is not a member and, at the discretion of the Chair, be permitted to speak but not vote.
- 30.3 Any member may substitute for an appointed member who is unable to attend a particular Committee or Sub-Committee meeting, this substitution must be notified by e-mail or in writing not later than 3.00 pm on the day of the relevant Committee or Sub-Committee meeting.

31. **Delegated Powers**

- 31.1 Without prejudice to the Town Clerk's general managerial responsibilities, and save as provided in the Terms of Reference of the Development Control Committee, no group of Members, individual Member or Officer shall have delegated power to take decisions on behalf of the Council save as provided by this Standing Order.
- 31.2 The Council may at any time delegate its authority to deal with any particular matter under consideration to a Committee or to a Sub-committee or to an ad-hoc group of Members (which shall consist of at least three) or to the Town Clerk.
- 31.3 In the event of any matter arising which requires an urgent decision the Town Clerk shall forthwith consult with the Chair and Vice-Chair of the appropriate Committee (and also with the Chair and Vice-Chair of the Policy and Resources Committee if the matter involves expenditure not provided for in the annual estimates) and those

Members so consulted shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.

- 31.4 Before exercising the delegated powers granted by paragraph 31.3 of this Standing Order, those Members consulted shall consider whether the matter is of sufficient import to justify the summoning of a Special Meeting of the appropriate Committee in accordance with Standing Order 26 and where a meeting is so summoned the Committee concerned shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- 31.5 Before exercising the delegated powers granted by paragraph 31.4 of this Standing Order, the Committee concerned shall consider whether the matter is of sufficient import to justify recommending to the Town Mayor that a Special Meeting of the Council should be called in accordance with Standing Order 1.3.2.
- 31.6 Whenever any action is taken under this Standing Order, full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next available meetings of the Committee concerned and of the Council.

## **32. Code of Conduct and Interests**

- 32.1 If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 9 July 2007, then s/he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required. A copy of the Code of Conduct is annexed to these Standing Orders).
- 32.2 If a member who has declared a personal interest then considers the interest to be prejudicial, s/he must withdraw from the room or chamber during consideration of the item to which the interest relates.
- 32.3 The Town Clerk may be required to compile and hold a Register of Member's Interests, or a copy thereof, and in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by Statute.
- 32.4 If a candidate for any appointment under the Council is, to his/her knowledge related to any member of, or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Town Clerk. A candidate who fails so to do shall be disqualified for such appointment and, if appointed, may be dismissed without notice. The Town Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed this Standing Order shall apply.
- 32.5 The Town Clerk shall make known the purpose of this Standing Order to every candidate.

## **33. Canvassing of and Recommendation by Members**

33.1 Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purpose of this paragraph of this Standing Order to every candidate.

33.2 A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion. Nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

#### 34. **Tenders and Contracts**

34.1 Standing Orders 32.4, 32.5 and 33 shall apply to tenders and contracts for work as if the person making the tender or applying for a contract for work were a candidate for an appointment.

34.2 The Town Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any member or any officer of the council of a pecuniary interest in a contract or tender, and the book shall be open during reasonable hours of the day for the inspection of any member.

#### 35. **Inspection of Documents**

35.1 A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a Committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.

35.2 All Minutes kept by the Council and by any Committees shall be open for the inspection of any member of the council.

35.3 The Minutes of the Council shall be open to inspection by any elector of the parish.

35.4 All other documents of the Council shall be open to inspection in accordance with the Publication Scheme adopted by the Council under the Freedom of Information Act 2000.

#### 36. **Unauthorised Activities**

36.1 No member of the Council or of any committee or sub-committee shall in the name of, or on behalf of, the Council:-

36.1.1 Inspect any lands or premises which the Council has a right or duty to inspect,  
or

36.1.2 Issue orders, instructions or directions

#### 37. **Admission of Public and Press to Meetings**

- 37.1 The public and the press shall be admitted to all meetings of the Council and its Committees and Sub-Committees, which may, however, temporarily exclude the public or the press or both by means of the following resolution:
- 37.2 “That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the public and press be excluded and they are instructed to withdraw.”
- 37.3 The Council, committee or sub-committee shall state the special reason for exclusion.
- 37.4 The Town Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- 37.5 There shall be no audio or video recording or photographs taken of the meeting without the express permission of the Council.
- 37.6 If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that the person be removed from the meeting room or that the part of the meeting room open to the public be cleared. The Chair may adjourn the meeting for such period as is necessary to restore order.

38. **Confidential Business**

- 38.1 No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
- 38.2 Any member in breach of the provisions of paragraph 38.1 of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

39. **Liaison with County and District Councillors**

- 39.1 A notice of meeting shall be sent together with an invitation to attend to the County Councillors for the division and the District Councillors for the wards which include the Wards of the Parish of Calne.
- 39.2 Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the divisions or to the District Councillors for the wards as the case may require.

40. **Planning Applications**

- 40.1 Every planning application notified to the Council shall be recorded in the Minutes of the Development Control Committee.
- 40.2 The Town Clerk shall refer every planning application to the Development Control Committee, except in the case of major planning applications of a strategic nature when the application shall be referred to Council.

#### 41. **Contracts**

- 41.1 Where it is intended to enter into a contract exceeding £1,000 but not exceeding £10,000 in value for the supply of goods or materials or for the execution of works, the Town Clerk shall seek at least three quotations for consideration by the Council. Where the value of the intended contract exceeds £10,000 notice shall be given in such newspapers circulating in the district as the Council shall direct.
- 41.2 The notice shall state the general nature of the intended contract and shall in addition state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.
- 41.3 Tenders submitted are to be opened, after the stated closing date and time, by the Town Clerk and members of a Tenders Sub-committee, who have delegated authority to assess submitted tenders and select a successful tenderer, notwithstanding that technical advice should be procured when necessary.
- 41.4 If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.
- 41.5 The Council is not bound to accept the lowest, or any, tender, estimate or quote.
- 41.6 A notice issued under this standing order shall contain a statement of the effect of Standing Orders Numbers 32.4, 32.5 and 33.
- 41.7 Where the Council, or the appropriate Committee, proposes to restrict the number of contractors submitting a tender, an invitation to persons interested to apply for inclusion on a select list of contractors in a specified period shall be made.

#### 42. **Complaints Procedure**

- 42.1 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner outlined in the Council's adopted Complaints Procedure, other than those complaints which should be properly directed to the Standards Board for England.

#### 43. **Variation, Revocation and Suspension of Standing Order**

- 43.1 Any part of these Standing Orders except those printed in capitals may be suspended by resolution in relation to any specific item of business.
- 43.2 A motion permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council to allow time for the Town Clerk to research the implications of the proposal.

#### 44. **Record of Attendance at Meetings**

- 44.1 The Town Clerk shall maintain a Record of Attendances in respect of meetings of the Council and of its Committees.
- 44.2 This record of attendance shall be reported to the Council at the Annual Meeting.

45. **Distribution and Construction of Standing Orders**

45.1 A printed copy of these Standing Orders shall be given to each member by the Town Clerk upon delivery to the Town Clerk of the Member's Declaration of Acceptance of Office.

45.2 The ruling of the Chair as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council, shall not be challenged at a meeting of the Council.

46. **Code of Conduct**

46.1 Members of the Council shall be bound by the Parish Councils (Model Code of Conduct) Order 2007 set out in Statutory Instrument 2007 No 1159, which was adopted by Calne Town Council on 9 July 2007. The Code is reproduced as an Appendix to these Standing Instructions.

47. **Financial Regulations**

47.1 These Standing Orders shall be read in conjunction with the Financial Regulations of the Council as amended from time to time, and appended to these Standing Orders.

